

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:03CV223

UNITED STATES OF AMERICA,)

Plaintiff,)

Vs.)

ORDER

HERMAN E. GREER; HERMAN)

E. GREER, Trustee of Greer)

Farm Trust; HELEN G.)

McKINNEY; HELEN G.)

McKINNEY, Executrix of the)

Estate of Elise Greer; STATE)

OF NORTH CAROLINA;)

TRANSYLVANIA COUNTY;)

LISA GREER WHITMIRE;)

and TIMOTHY C. WHITMIRE,)

Trustee of Greer Farm Trust,)

Defendants.)

THIS MATTER is before the Court on the mandate and remand of the United States Fourth Circuit Court of Appeals. ***United States v. Greer***, 2006 WL 1444889 (4th Cir. 2006). In accordance with the decision of that Court, the undersigned will require the Plaintiff to comply with the mandate.

IT IS, THEREFORE, ORDERED that the United States shall recalculate the income ascribed to the Defendant Herman E. Greer for the year 1989, recompute the tax assessment for that year and recompute the total judgment against the Defendant Herman E. Greer. Upon so doing, the United States shall file written verification and explanation thereof with the Court along with a proposed amended judgment within 30 days from entry of this Order.

Signed: September 19, 2006

A handwritten signature in dark ink, appearing to read "Lacy H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

